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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	No. CR 12-00463 LHK
)	
11 Plaintiff,)	STIPULATION TO CONTINUE
)	STATUS CONFERENCE and
12 vs.)	[Proposed] ORDER
)	
13 PAUL CHIANG,)	Date: September 12, 2012
)	Time: 9:00 a.m.
14 Defendant.)	Court: Honorable Lucy Koh
)	
15 _____)	
)	
16)	

17 Defendant PAUL CHIANG is scheduled to appear in the above-captioned matter for
18 Status Conference on September 12, 2012, at 9:00 a.m.

19 Defendant CHIANG is charged in a one-count indictment with Computer Intrusion in
20 violation of 18 U.S.C. §1030(a)(2)(C) and (c)(B)(ii) and Interception of Wire and Electronic
21 Communications in violation of 18 U.S.C. §2511(1)(a) and (4)(a).

22 Counsel has spent considerable time and effort meeting with defendant, to review
23 voluminous electronic evidence in the case. The electronic discovery in the case consists of two
24 separate 750 GB hard drives. Discovery review with defendant is on going and should be
25 completed within the next 45 days. Additionally, counsel is awaiting receipt of a final computer
26 forensic report pertaining to the investigation and possible witness interviews.

Counsel and defendant will not be prepared for the status conference presently set for September 12, 2012 for the reasons stated above. Defendant, through counsel, requests a continuance to allow time for defendant CHIANG to complete his personal review of all case discovery and clarify any remaining factual and legal questions he may have with counsel.

The parties further stipulate and agree that the time from September 12 through November 7, 2012, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) on the basis that the ends of justice are served by taking such action which outweigh the best interest of the public and the defendant in a speedy trial and also under subsection (B)(iv) for continuity of counsel and for effective preparation of counsel, taking into account the exercise of due diligence.

DATED: September 10, 2012

/s/

Michelle Kane
Assistant United States Attorney



DATED: September 10, 2012

GARRICK LEW
Counsel for Defendant LOOC

~~[Proposed]~~ **ORDER**

GOOD CAUSE APPEARING, and pursuant to the stipulation of the government and defendant PAUL CHIANG,

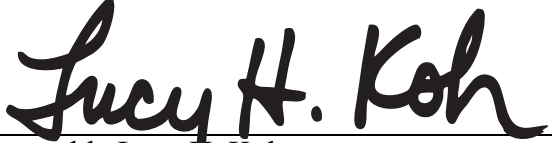
IT IS HEREBY ORDERED that the Status Conference in this case, currently scheduled for September 12, 2012 at 9:00 a.m. before the Honorable Lucy H. Koh, is VACATED and RESET to November 7, 2012 at 9:00 a.m.

IT IS FURTHER ORDERED that the time from September 12 through November 7, 2012, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§

1 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel. The
2 Court finds that the ends of justice served by the granting of the continuance outweigh the best
3 interests of the public and the defendant in a speedy and public trial and the failure to grant the
4 requested continuance would unreasonably deny continuity of counsel and reasonable time
5 necessary for effective preparation.

6
7 SO ORDERED.

8
9 DATED: 9/12/12



Honorable Lucy H. Koh
United States District Judge